Petitioners

were no Protestants.

NOTICE OF HEARING

timore County, by authority or the Zoning Act and Regulations of Balti-more County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson,

Hearing Date: Thursday,

Variance to allow a rear yard set-back of 6 feet 4 inches in lieu of the required 11.25 feet for an open pro-

jection (deck).
In the event that this Petition is

granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of

request for a stay of the sentence said permit during this period for good cause showr such request must be in writing and received in this office by the date of the hearing set above or presented at the hear-

I. ROBERT HAINES

(5037 Clifford Road) 11th Election District 5th Councilmanic District

s/s clifford Road, 72.5' from Gerhard A. Voegele, et ux

FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 89-34-A

The Petitioners herein request a variance to permit a rear yard setback of 6 feet, 4 inches in lieu of the required 11.25 feet for an open projection (deck) as more particularly described in Petitioner's Exhibit 1. The Petitioners, by Mr. Voegele, appeared and testified. There

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of August, 1988 that the Petition for Zoning Variance to permit a rear yard setback of 6 feet, 4 inches in lieu of the

CERTIFICATE OF POSTING

ONING DEPARTMENT OF BALTIMORE COUNTY

Location of property: 5/5 Clifford Rd., 77.5' Fr. C/t of Clifford Pd.

4359' W/fow yours bill Rd. - 3037 Clifford Pd.

Location of Signs Focies Clifford Rd., oppose 80' Fr. 200 dway, on

120 for by of Polition on

Date of Posting 7/6/88

CERTIFICATE OF PUBLICATION

33.75

THE JEFFERSONIAN,

5. Zehe\_ Orlon

required 11.25 feet for an open projection (deck) in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> > Vzoning Commissioner for Baltimore County

JRH:bjs

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

J. Robert Haines

June 14, 1988

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBER: 89-34-A SS Clifford Road. 72.5' from c/l and 359' W of c/l Lawrence Hill Road (5307 Clifford Road) 11th Election District - 5th Councilmanic Petitioner(s): Gerhard A. Voegele, et ux HEARING SCHEDULED: THURSDAY, JULY 28, 1988 at 10:00 a.m.

VARIANCE to allow a rear yard setback of 6 feet 4 inches in lieu of the required 11.25 feet for an open pro- jection (deck).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

Gerhard A. Voegele, et ux File \_\_\_

NOTICE OF HEARING

Do <u>not</u> remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

returned.

Very truly yours,

J. Robert Haines UJ. ROBERT HAINES Zoning Commissioner of Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

August 3, 1988

Mr. & Mrs. Gerhard A. Voegele 5037 Clifford Road Perry Hall, Maryland 21128

RE: PETITION FOR ZONING VARIANCE S/S Clifford Road, 72.5' from and 359' W of the c/l of Lawrence Hill Road (5037 Clifford Road) 11th Election District; 5th Councilmanic District Case No. 89-34-A

Dear Mr. & Mrs. Voegele:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

> Very truly yours, 4. Robert Haines J. ROBERT HAINES Zoning Commissioner for Baltimore County

Enclosure cc: People's Counsel

Dennis F. Rasmussen

Dennis F. Rasmussen

Date: 411 15,888

Mr. & Mrs. Gerhard A. Voegele 5037 Clifford Road Perry Hall, Maryland 21128

Re: Petition for Zoning Variance CASE NUMBER: 89-34-A SS Clifford Road, 72.5' from c/l and 359' W of c/l Lawrence Hill Road (5307 Clifford Road) 11th Election District - 5th Councilmanic Petitioner(s): Gerhard A. Voegele, et ux HEARING SCHEDULED: THURSDAY, JULY 28, 1988 at 10:00 a.m.

Dear Mr. & Mrs. Voegele:

Baltimore County

494-3353

Zoning Commissioner
Office of Planning & Zoning

Towson, Maryland 21204

Please be advised that 94.95 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not

cc: File

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B: 504 (V.B. 5.b. CMDP) To allow a rear yard setback of 6 feet 4 inches in lieu of the required 11.25 feet for an open projection Ideck). [See prior Case No. 85-12-SPHA).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the NE 8 H following reasons: (indicate hardship or practical difficulty)

DEFECTIVELY HOUSING PLEET CLUSTER HOUSES TOGETHER SO TIGHTLY, THAT SPACE IS LIMITED FOR REASONABLE EXPANSIONS. SET ZACK LINE RENDERS ZUILDING ALEA INFRACTICAL.

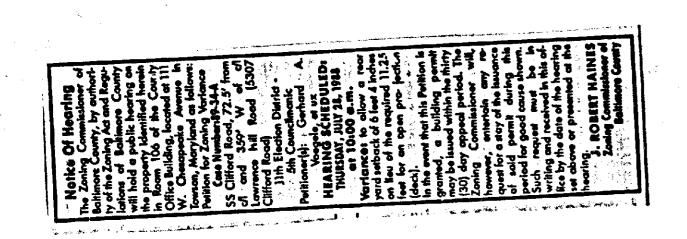
@ SWAIL EEHIND THE HOUSE CAUSES EXTREME WET CONDITIONS, EVEN WITH MODERATE RAIN FALL. 3 CONSTRUCTION IS ALREADY NEAR COMPLETION. DUE TO LACK OF KLEWLEIGE OF LAWS THAT REQUIRE PERMITS FOR CONSTRUCTION PROSECTS.

Property is to be posted and advertised as prescribed by Zoning Regulations.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE-REVENUE DIVISION MISCELLANEOUS CASH RECEIPT  DATE 5-17-53 ACCOUNT P-0-115-00-00  AMOUNT \$ 35 25  THEN HELD FOLLOW TO THE TO THE THEN THE THEN THE THEN THE THEN THE THEN THE THEN THEN	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.  Legal Owner(s):  CECHACO A. VOECELE (Type or Print Name)  Signature  CANDAA L. VOECELE (Type or Print Name)  Signature  CHARLA L. VOECELE (Type or Print Name)  Signature  CHARLA L. VOECELE (Type or Print Name)  Signature  CHARLA L. VOECELE (Type or Print Name)  DATE 12-10-11  Signature  Control Poor Print Name  DP  Name, address and phone number of legal owner, contract purchaser or representative to be a contract purchaser or representative to
City and State  Attornal The At	Mo. 52878  We have a contacted  Here a contacted

ZONINGDESCRIPTION

BEGINNING ON THE SOUTH SIDE OF CLIFFORD ROAD, SET BACK FROM THE STREET CENTER LINE (\$) AT 72.5 FEET. DUE WEST, .359 FEET FROM THE & OF LAWRENCE HILL ROAD. DESCRIBED AND KLOWN AS LOT 27, 2LOCK 22 IN THE SUBDIVISION OF LAWRENCE HILL. BOOK \$54, FOLIO CO9, SECTION 3. POSTAL ADDRESS IS KNOWN AS 5037 CLIFFORD ROAD, IN THE 11TH CLECTION DISTRICT.



**PUBLICATION** 

P

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500 Paul H. Reincke Chief

June 7, 1988

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Re: Property Owner: Gerhard A. Voegele, et ux

Location: S/S Clifford Road, setback 72.5' from c/1 359' W. of c/1

Lawrence Hill Road Zoning Agenda: Meeting of 5/24/88 Item No.: 416

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

Noted and Approved:

WHITE MAKEN ZUYD. ---->359' TO COT LAWRENCE HILL RD. CLIFFOXD ROAD (23' PAVEMENT)

VICINITY MAP

SILVERSPRING ED

LADY BYED JOHNSON STATE PROPERTY

Existing Crops

PLAT FOR ZONING VARIANCE OWNER - GERHARD & SANDRA VOEGELE DISTRICT - 11 SUBDIVISION - LAWKENCE HILL LOT \* 27, ELK 22, BOOK \* 54, FOLIO 009, SECTION 3 EXISTING UTILITIES IN CLIFFORD PORD LOT SIZE: 5,009 SQ. FT. . 115 AC PHASE 13 SCALE: 1"= 40'

LOT 26

PETITIONER'S EXHIBIT 1

89-34-A

Dennis F. Rasmussen
County Executive

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this

Petitioner Gerhard A. Voegele, et ux Received by: James E. Dyer Chairman, Zoning Plans Petitioner's Attorney

Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 18, 1988

Mr. & Mrs. Gerhard A. Voegele 5037 Clifford Road Perry Hall, Maryland 21128

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Yowson, Maryland 2'204

Industrial Development

RE: Item No. 416 - Case No. 89-34-A Petitioner: Gerhard A. Voegele, et ux Petition for Zoning Variance

Dear Mr. & Mrs. Voegele:

Department of Traffic Engineering The Zoning Plans Advisory Committee has reviewed the plans State Roads Commission submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with Health Department Project Planning Building Department recommendations as to the suitability of the requested zoning. Board of Education

> Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled acccordingly.

> > Very truly yours,

James E. Dyerldt JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:dt

Enclosures

Raltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

June 23, 1988



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 408, 409, 410, 411, 412, 414, 415, 416 and 417.

Very truly yours,

Stephen E. Weber. P.E. Assistant Traffic Engineer

SEW/RF/pml-b

BACOMORE COUNTY, MARYOND

INTER-OFFICE CORRESPONDENCE

TO J. Robert Haines
Zoning Commissioner

FROM P. David Fields, Director
Office of Planning and Zoning SUBJECT Zoning Petitions #89-4-A, 89-5-A, 89-14-A, 89-15-A, 89-16-A, 89-17-A, 89-19-A, 89-21-A, 89-23-A, 89-25-A, 89-27-A, 89-28-A, 89-29-A, and 89-34-A

There are no comprehensive planning factors requiring

Office of Planning and Coning

comment on these petitions.

cc: Shirley Hess, People's Counsel
J. G. Hoswell
Zoning File

Mr. & Mrs. Gerhard A. Voegele

Date June 20, 1988

ZONING OFFICE

Fire Prevention Bureau